

MINUTES OF THE UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA

ENOCH ADAMS, JR ET AL

vs. TECK COMINCO ALASKA INC

NANA REGIONAL CORP. INC.

NORTHWEST ARCTIC BOROUGH

BEFORE THE HONORABLE JOHN W. SEDWICK CASE NO. 3:04-CV-00049-JWS

DEPUTY CLERK/RECORDER: ALEXIS GUTIERREZ

APPEARANCES: PLAINTIFF: LUKE W. COLE FOR ENOCH ADAMS

NANCY S. WAINWRIGHT FOR ENOCH ADAMS

DEFENDANT: SEAN HALLORAN FOR TECK COMINCO AK, INC

JAMES E. TORGESON FOR NANA REGIONAL CORP

YVONNE LAMOUREUX FOR NANA REGIONAL CORP

MATTHEW MEAD FOR NORTHWEST ARCTIC BOROUGH

PROCEEDINGS: STATUS CONFERENCE HELD MARCH 21, 2008:

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At 8:36 a.m. court convened.

Court and counsel heard re Mr. Torgeson's request to set a date certain for Trial by Court on the Liability Phase and then the Remedy Phase.

Trial by Court re Liability Phase set **May 19, 2008 at 9:00 a.m.**

Trial by Court re Remedy Phase set **August 11, 2008 at 9:00 a.m.**

Court and counsel heard re exhibits, demonstrative charts, violations and spreadsheets.

Court ordered parties to confer and create a spreadsheet re violation issues and submit to the court as soon as possible.

Court and counsel heard re the defendant's oral motion for reconsideration on the court previous ruling re Mr. Cavanaugh's testimony and economic benefit; Court ordered the defendant to file a motion for reconsideration as soon as possible.

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DEPUTY CLERK'S INITIALS: AXG

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Enoch Adams, Jr et al vs. Teck Cominco Alaska Inc, Nana Regional  
Corp. Inc, Northwest Arctic Borough  
Status Conference  
March 21, 2008

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Court and counsel heard re defendant's request for clarification re courts order on the testing of samples, lab report results, violations and parties using multiple labs to get results on samples.

Court and counsel heard re plaintiff's request to use previous filed pleadings with admissions as exhibits. Court ordered parties to meet and confer and file a stipulation re admissions as soon as possible.

Court and counsel re list of disclosures; court ordered the documents in issue to be delivered to Mr. Torgenson's San Francisco Firm within 2 weeks and Mr. Torgenson to return the documents after review within 7 working days.

Court and counsel heard re depositions, testimony and strikes to expert witness testimony; court ordered parties to file a brief on this issue as soon as possible.

Court and counsel heard re parties calling witnesses to testify at both the Remedy Phase and Liability Phase of the Trial by Court.

Court and counsel heard re seating arrangements for counsel and the need for additional microphones during the trial by court.

Court and counsel heard re presentation of exhibits to all parties during the trial by court.

Court ordered the parties to file their intent to use DEPS during the trial by court and also call the court and receive training using the DEPS equipment.

Court and counsel heard re courts suggestion that the parties meet and confer re using a real time court reporter or a stenographer for the trial by court as an option.

At 9:26 a.m. court adjourned.

DATE: MARCH 21, 2008 DEPUTY CLERK'S INITIALS: AXG